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SUBJECT TRACT

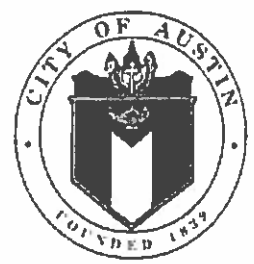


PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS
CASE#: C15-2016-0097
701 W. ELIZABETH ST.



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 208'



CITY OF AUSTIN
Development Services Department
One Texas Center | Phone: 512.978.4000
505 Barton Springs Road, Austin, Texas 78704

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Board of Adjustment General/Parking Variance Application

WARNING: Filing of this appeal stops all affected construction activity.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. *If more space is required, please complete Section 6 as needed.* All information is required (if applicable).

For Office Use Only

Case # C15-2016-0097 ROW # 11583057 Tax # D101010905
TCADL

Section 1: Applicant Statement

Street Address: 701 W Elizabeth Street

Subdivision Legal Description:

Lot 6, Block A, South Heights, a Subdivision in Travis County, Texas, recorded under volume 1, Page 121 of the Plat Records of Travis County, Texas.

Lot(s): 6 Block(s): A

Outlot: _____ Division: _____

Zoning District: SF-3-NP (Bouldin Creek)

I/We Chad Kimbell on behalf of myself/ourselves as
authorized agent for Dan Galanter affirm that on
Month Select, Day Select, Year Select, hereby apply for a hearing before the
Board of Adjustment for consideration to (select appropriate option below):

☐ Erect ☐ Attach ☐ Complete ☐ Remodel ☐ Maintain ☒ Other: Resubdivision Plat

Type of Structure: _____

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

25-1-22(C) Except as otherwise provided in this title, lot width is measured at the front setback line and at a distance of 50 feet to the rear of the front setback line.

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Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

Lot 6, Block A, South Heights, platted in 1896, has a width of 46'4" which is less than the 50' width requirement for SF-3 zoning in the LDC. Lot 6 meets all 25-2-943 requirements making it a legally non-complying lot today, and has a home constructed on it up to the side setbacks from Lot 5 and Lot 7, Block A, South Heights. The proposed Galanter-Kimbell Subdivision combines all of Lot 6 with a rear tract of land, described as a portion of Lots 13 and 14, Block A, South Heights to create Lot 1 of the Galanter-Kimbell Subdivision. Considering Lot 1's configuration is exactly the same as the current Lot 6 for a depth of 127.9', the width of Lot 1 per 25-1-22(C) is the same as Lot 6, Block A, South Heights at 46'4". FYI, for lot depths greater than 127.9', Lot 1's width is 58.9'.

-hardship) The hardship for which the variance is requested is unique to the property in that:

There are and have been homes constructed both to the west and east of the proposed Lot 1 on legal lots for a century. All lots to the east and west were platted with a width of 46'4".

There is no ability to add lot width to Lot 6, South Heights, nor to the proposed Lot 1.

Furthermore, a home already exists on Lot 6 of South Heights and is currently legally non-complying per 25-2-943. Please note that the proposed Lot 2 of the Galanter-Kimbell

Subdivision currently has a home built up to the side setbacks too. The home was built in 1910.

b) The hardship is not general to the area in which the property is located because:

In the general area, most lots are currently legally non-complying per 25-2-943 and are allowed construction per the LDC without a Board of Adjustment Variance. In addition these lots typically qualify for an exemption from platting per 25-4-2 and can achieve a legal lot determination. However, virtually all properties in South Heights would need this variance if they too were required to resubdivide since most violate lot width or lot area requirements.

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Area Character

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The variance simply re-approves what already exists today. It will not impair the use of adjacent properties and will in effect continue to function as the lots in South Heights currently function under 25-2-943.

Parking (additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

Section 3: Applicant Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature:  Date: 07/21/2016

Applicant Name (typed or printed): Chad Kimbell at KBGE

Applicant Mailing Address: 105 W Riverside Dr. Suite 110

City: Austin State: TX Zip: 78704

Phone (will be public information): (512) 439-0400

Email (optional – will be public information): _____

Section 4: Owner Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature:  Date: 7/28/16

Owner Name (typed or printed): Dan Galanter

Owner Mailing Address: 701 West Elizabeth Street

City: Austin State: TX Zip: 78704

Phone (will be public information): 512-439-0400

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: Chad Kimbell at KBGE

Agent Mailing Address: 105 W Riverside Dr. Suite 110

City: Austin State: TX Zip: 78704

Phone (will be public information): (512) 439-0400

Email (optional – will be public information): _____

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

This subdivision is required due to adding the land of 700 Jewell (portions of Lot 13 and Lot 14, South Heights) to 701 West Elizabeth (Lot 6, South Heights) and 611 W. Elizabeth (Lot 7 and a portion of Lot 8, South Heights), subdividing 3 legal lots into 2 lots. 700 Jewell is a legal tract, but it is only 4,443 sf and only 55.30' deep.

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Additional Space (continued)

It does not meet the 5,750 sf lot area requirement for an SF-3 zoned property per 25-2-492 -
SITE DEVELOPMENT REGULATIONS nor does it meet 25-1-22(C) for lot width measurement.
Removing this tract makes the platted area more compliant with today's code.

Lined area for additional text.

SAVE

3/8

SOUTH HEIGHTS

an addition to the

CITY OF AUSTIN



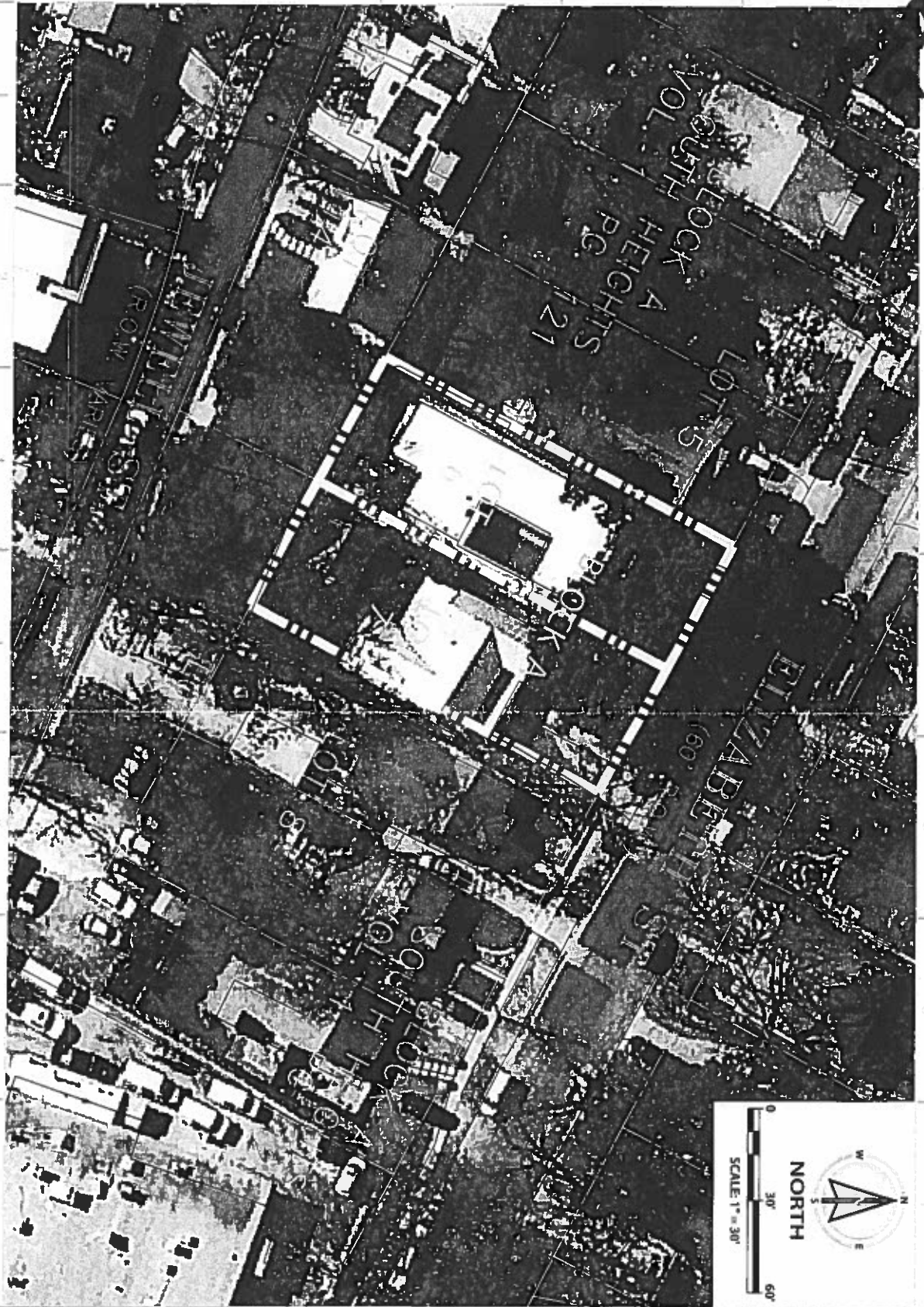
State of Texas } Know all men by these presents that the Home Builders Association
County of Travis } a corporation existing under and by virtue of the laws of the State of Texas
do hereby certify to the fact and receipt of the public the above and other things contained in the above
plat of being a division into blocks and lots of the said tract of 27 1/2 acres of land out of the land
Donation began on Travis County Texas, the south-east corner of this plat being the south-east corner
of and 27 1/2 acres which are fully set forth and described in and from A. H. McManis, Administrator
of the A. H. McManis Estate is the said Home Builders Association of record in Book Records of Travis
County on Vol. 12, pages 94-96 which is hereby referred to.

Mary Dawson Secretary
The Home Builders Association
S. M. Pazy President

State of Texas } Before me, Henry Riddle on and for Travis County Texas on the day personally
County of Travis } appeared S. M. Pazy as President and Mary Dawson as Secretary of the Home Builders
Association a corporation existing under and by virtue of the laws of the State of Texas both known to
me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to
me that they executed the foregoing instrument for the purposes and considerations therein expressed
at which time and date, as the best and best of said Corporation
I, A. H. Riddle, Notary Public
Travis County, Texas
Filed for record at 12 o'clock M. 15th day of June 1896
John H. Hensley, Clerk County Court, Travis County, Texas

FILED FOR RECORD JUNE 13 1896 at 12 M
RECORDED JUNE 27 1896 at 12 P M
J.H. Hensley
Clerk C.C. & C.T.

7/6



CHECKED BY:
CHAD KIMBELL, PE
JOB NUMBER: 356-001
ISSUE DATE: 07/06/16
SHEET:

611 W ELIZABETH ST

CITY OF AUSTIN, TRAVIS COUNTY, TX

EXHIBIT

EXISTING LOTS

kbge
ENGINEERING
CONSULTING
KIMBELL, BARRAZA, GARCIA & ASSOCIATES
25 West Riverside Drive, Suite 110 Austin, Texas 78704
512.439.0400 www.kbge-engineering.com
SPE No. F-2812

CLIENT INFORMATION

